



~~09, 436, 596~~

~~#18~~

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5

APPLICANTS: Bossemeyer

EXAMINER:

SERIAL NO.: 09/817,005

GROUP:

FILED: March 23, 2001

CASE NO.: AMT-9707C1

Law Offices of Dale B. Halling  
24 S. Weber, Suite 311  
Colorado Springs, CO 80903

July 25, 2003

**SECOND PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Honorable Commissioner of  
Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Remarks**

After filing the first Petition to Revive on June 30, we received the attached correspondence saying the case was abandoned for fail to a Notice to File Missing Parts. This is the only correspondence ever received in this case from the PTO despite numerous attempts to contact the PTO on this Case. Please let us know if our Petition to Revive is being considered.

(Restatement from first Petition Follows)

The following are the facts surrounding this case.

## Facts

1. A continuation, under CFR 37 1.53(b), of US Serial No. 09/436,296 (Issued as USPN 6,249,760 B1 Jun 19, 2001) was filed on March 23, 2001. A preliminary amendment was also enclosed. Copies enclosed

2. The continuation was filed using US Express Mail. The mailing label number was EL684905150US. The continuation included a certificate of Express mail and a copy of the Express Mail label is enclosed. The date on the Express mail label clearly show the date 3/23/01. A copy of the United States Postal Service report shows the package was delivered on march 26, 2001.

3. On June 10, 2002 a status request was sent from the office. This Office received no reply from the PTO. A check with the correspondence address, SBC-Bruce Stuckman, confirms they also did not receive a response from this status request.

4. On February 11, 2003 another status request was faxed to the PTO. This Office received no reply from the PTO. A check with the correspondence address, SBC-Bruce Stuckman, confirms they also did not receive a response from this status request.

5. Ms. Laura Hansen made numerous phone calls to the PTO. Finally, she was able to track down someone in May of 2003 at the PTO who stated the case had been abandoned and the correspondence had been sent to Mr. Bruce Stuckman at SBC.

6. I call Mr. Bruce Stuckman at SBC and with the help of his assistant we determined that SBC also had not received any correspondence in the case.

## Request for Relief

The applicant respectfully requests that:

1. The case be revived with a filing date of March 23, 2001.
2. Any outstanding issues related to this case be faxed to:

Dale B. Halling  
719-447-9815

3. The all future correspondence be sent to:

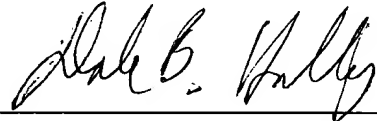
Dale B. Halling  
24 S. Weber, Ste 311  
Colorado Springs, CO 80903

#### Attachments

Copies of the above referenced correspondence is enclosed, except that the original application, preliminary amendment and declaration are not enclosed. If they are required, the applicant would be happy to forward these papers.

Respectfully submitted,

(Bossemeyer)


By   
Attorney for the Applicant  
Dale B. Halling  
Registration No. 38,170  
Phone: (719) 447-1990  
Fax: (719) 447-9815

#### Correspondence Address

Law Offices of Dale B. Halling  
24 S. Weber, Suite 311  
Colorado Springs, CO 80903

I hereby certify that a Petition to Withdraw Holding of Abandonment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on:

7/29/03  
Date

  
Signature

BEST AVAILABLE COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/817,005	03/23/2001	Robert Wesley Bossemeyer JR.	AMT-9707C1

Bruce Stuckman  
 SBC Technology Resources, Inc.  
 9505 Arboretum Blvd., 9th Floor  
 Austin, TX 78759



CONFIRMATION NO. 5713

## ABANDONMENT/TERMINATION LETTER



\*OC000000010433974\*

Date Mailed: 07/07/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/04/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

